

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Fletcher

H.B. No. 1632

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the confidentiality of certain identifying information  
3 of peace officers, county jailers, security officers, employees of  
4 the Texas Department of Criminal Justice or a prosecutor's office,  
5 or judges and their spouses.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Section 13.004(c), Election Code, is amended to  
8 read as follows:

9 (c) The following information furnished on a registration  
10 application is confidential and does not constitute public  
11 information for purposes of Chapter 552, Government Code:

12 (1) a social security number;

13 (2) a Texas driver's license number;

14 (3) a number of a personal identification card issued  
15 by the Department of Public Safety;

16 (4) an indication that an applicant is interested in  
17 working as an election judge; or

18 (5) the residence address of the applicant, if the  
19 applicant is a federal judge or state judge, as defined by Section  
20 13.0021, ~~or~~ the spouse of a federal judge or state judge, or an  
21 individual to whom Section 552.1175, Government Code, applies and  
22 the applicant:

23 (A) included an affidavit with the registration  
24 application describing the applicant's status under this

1 subdivision, including an affidavit under Section 13.0021 if the  
2 applicant is a federal judge or state judge or the spouse of a  
3 federal judge or state judge; ~~or~~

4 (B) provided the registrar with ~~has received~~ an  
5 affidavit describing the applicant's status under this  
6 subdivision, including an affidavit ~~submitted~~ under Section  
7 15.0215 if the applicant is a federal judge or state judge or the  
8 spouse of a federal judge or state judge; or

9 (C) provided the registrar with a completed form  
10 approved by the secretary of state for the purpose of notifying the  
11 registrar of the applicant's status under this subdivision.

12 SECTION 2. The heading to Section 552.1175, Government  
13 Code, is amended to read as follows:

14 Sec. 552.1175. CONFIDENTIALITY OF CERTAIN IDENTIFYING  
15 [ADDRESSES, TELEPHONE NUMBERS, SOCIAL SECURITY NUMBERS, AND  
16 PERSONAL FAMILY] INFORMATION OF PEACE OFFICERS, COUNTY JAILERS,  
17 SECURITY OFFICERS, AND EMPLOYEES OF THE TEXAS DEPARTMENT OF  
18 CRIMINAL JUSTICE OR A PROSECUTOR'S OFFICE.

19 SECTION 3. Sections 552.1175(b) and (e), Government Code,  
20 are amended to read as follows:

21 (b) Information that relates to the home address, home  
22 telephone number, emergency contact information, date of birth, or  
23 social security number of an individual to whom this section  
24 applies, or that reveals whether the individual has family members  
25 is confidential and may not be disclosed to the public under this  
26 chapter if the individual to whom the information relates:

27 (1) chooses to restrict public access to the

1 information; and

2 (2) notifies the governmental body of the individual's  
3 choice on a form provided by the governmental body, accompanied by  
4 evidence of the individual's status.

5 (e) All documents filed with a county clerk and all  
6 documents filed with a district clerk are exempt from this section,  
7 except that the county clerk or district clerk may redact the street  
8 address of an individual to whom this section applies from a  
9 document filed with the clerk without the necessity of requesting a  
10 decision from the attorney general under Subchapter G at the  
11 request of the individual, if that individual identifies to the  
12 clerk the specific document containing the address.

13 SECTION 4. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2013.

**ADOPTED**

MAY 22 2013

*Atty Gen*  
Secretary of the Senate

By: Paxton

H.B. No. 1632

Substitute the following for \_\_\_B. No. \_\_\_:

By: *Flake Lee Nichols*

C.S. \_\_\_B. No. \_\_\_

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15 by the Department of Public Safety;
- 16 (4) an indication that an applicant is interested in  
17 working as an election judge; or
- 18 (5) the residence address of the applicant, if the  
19 applicant is a federal judge or state judge, as defined by Section  
20 13.0021, ~~or~~ the spouse of a federal judge or state judge, or an  
21 individual to whom Section 552.1175, Government Code, applies and  
22 the applicant:

23 (A) included an affidavit with the registration  
24 application describing the applicant's status under this

1 subdivision, including an affidavit under Section 13.0021 if the  
2 applicant is a federal judge or state judge or the spouse of a  
3 federal judge or state judge;

4 (B) provided ~~[or]~~ the registrar with ~~[has~~  
5 ~~received]~~ an affidavit describing the applicant's status under this  
6 subdivision, including an affidavit ~~[submitted]~~ under Section  
7 15.0215 if the applicant is a federal judge or state judge or the  
8 spouse of a federal judge or state judge; or

9 (C) provided the registrar with a completed form  
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11 registrar of the applicant's status under this subdivision.

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13 Code, is amended to read as follows:

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15 ~~[ADDRESSES, TELEPHONE NUMBERS, SOCIAL SECURITY NUMBERS, AND~~  
16 ~~PERSONAL FAMILY]~~ INFORMATION OF PEACE OFFICERS, COUNTY JAILERS,  
17 SECURITY OFFICERS, ~~[AND]~~ EMPLOYEES OF THE TEXAS DEPARTMENT OF  
18 CRIMINAL JUSTICE OR A PROSECUTOR'S OFFICE, AND FEDERAL AND STATE  
19 JUDGES.

20 SECTION 3. Sections 552.1175(a) and (b), Government Code,  
21 are amended to read as follows:

22 (a) This section applies only to:

23 (1) peace officers as defined by Article 2.12, Code of  
24 Criminal Procedure;

25 (2) county jailers as defined by Section 1701.001,  
26 Occupations Code;

27 (3) current or former employees of the Texas

1 Department of Criminal Justice or of the predecessor in function of  
2 the department or any division of the department;

3 (4) commissioned security officers as defined by  
4 Section 1702.002, Occupations Code;

5 (5) employees of a district attorney, criminal  
6 district attorney, or county or municipal attorney whose  
7 jurisdiction includes any criminal law or child protective services  
8 matters;

9 (6) officers and employees of a community supervision  
10 and corrections department established under Chapter 76 who perform  
11 a duty described by Section 76.004(b);

12 (7) criminal investigators of the United States as  
13 described by Article 2.122(a), Code of Criminal Procedure;

14 (8) police officers and inspectors of the United  
15 States Federal Protective Service; ~~and~~

16 (9) current and former employees of the office of the  
17 attorney general who are or were assigned to a division of that  
18 office the duties of which involve law enforcement; and

19 (10) federal judges and state judges as defined by  
20 Section 13.0021, Election Code.

21 (b) Information that relates to the home address, home  
22 telephone number, emergency contact information, date of birth, or  
23 social security number of an individual to whom this section  
24 applies, or that reveals whether the individual has family members  
25 is confidential and may not be disclosed to the public under this  
26 chapter if the individual to whom the information relates:

27 (1) chooses to restrict public access to the

1 information; and

2                   (2) notifies the governmental body of the individual's  
3 choice on a form provided by the governmental body, accompanied by  
4 evidence of the individual's status.

5           SECTION 4. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2013.

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 23, 2013**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1632** by Fletcher (Relating to the confidentiality of certain identifying information of peace officers, county jailers, security officers, employees of the Texas Department of Criminal Justice or a prosecutor's office, or judges and their spouses.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would allow for a peace officer, jailer, or employee of the Department of Public Safety (DPS) to make confidential his or her residential address on a registration application.

The bill would add date of birth to the list of confidential information described by Section 552.1175(b), Government Code, and add federal and state judges to the list of employees to whom this section applies.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, SD, AG, KKR

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 17, 2013**

**TO:** Honorable Robert Duncan, Chair, Senate Committee on State Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1632** by Fletcher (Relating to the confidentiality of certain identifying information of peace officers, county jailers, security officers, employees of the Texas Department of Criminal Justice or a prosecutor's office, or judges and their spouses.), **Committee Report 2nd House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would allow for a peace officer, jailer, or employee of the Department of Public Safety (DPS) to make confidential his or her residential address on a registration application.

The bill would add date of birth to the list of confidential information described by Section 552.1175(b), Government Code, and add federal and state judges to the list of employees to whom this section applies.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, AG, KKR

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 15, 2013**

**TO:** Honorable Robert Duncan, Chair, Senate Committee on State Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1632** by Fletcher (Relating to the confidentiality of certain identifying information of peace officers, county jailers, security officers, employees of the Texas Department of Criminal Justice or a prosecutor's office, or judges and their spouses.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would allow for a peace officer, jailer, or employee of the Department of Public Safety (DPS) to make confidential his or her residential address on a registration application.

The bill would add the date of birth of a peace officer, jailer, or employee of DPS to the list of confidential information described by Section 552.1175(b), Government Code. The bill would also allow a county or district clerk to redact a street address under this section without requesting permission from the Office of the Attorney General.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, AG, KKR

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 15, 2013**

**TO:** Honorable Linda Harper-Brown, Chair, House Committee On Government Efficiency & Reform

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1632** by Fletcher (Relating to certain identifying information of peace officers, county jailers, security officers, and employees of the Texas Department of Criminal Justice or a prosecutor's office excepted from disclosure under the Public Information Act.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would add an officer or jailer's date of birth to the list of confidential information described by Section 552.1175(b), Government Code.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 405 Department of Public Safety, 696 Department of Criminal Justice

**LBB Staff:** UP, KJo, SD, KKR